

Abran E. Vigil  
Nevada Bar No. 7548  
Justin A. Shiroff  
Nevada Bar No. 12869  
BALLARD SPAHR LLP  
1980 Festival Plaza Drive, Suite 900  
Las Vegas, Nevada 89135-2958  
Telephone: (702) 471-7000  
Facsimile: (702) 471-7070  
E-Mail: [vigila@ballardspahr.com](mailto:vigila@ballardspahr.com)  
E-Mail: [shiroffj@ballardspahr.com](mailto:shiroffj@ballardspahr.com)

*Attorneys for Wilmington Trust, NA,  
Successor Trustee to Citibank, N.A.,  
as Trustee, for the Benefit of  
Registered Holders of Structured  
Asset Mortgage Investments II Trust  
2007-AR3, Mortgage Pass-Through  
Certificates, Series 2007-AR3*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

WILMINGTON TRUST, NA, SUCCESSOR  
TRUSTEE TO CITIBANK, N.A., AS  
TRUSTEE, FOR THE BENEFIT OF  
REGISTERED HOLDERS OF  
STRUCTURED ASSET MORTGAGE  
INVESTMENTS II TRUST 2007-AR3,  
MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2007-AR3,

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC, a  
Nevada limited liability company; PALM  
CREEK COMMUNITY ASSOCIATION,  
INC., a Nevada non-profit corporation, and  
NEVADA ASSOCIATION SERVICES,  
INC.,

Defendants.

SFR INVESTMENTS POOL 1, LLC, a  
Nevada limited liability company,

Counter/Cross Claimant,

vs.

WILMINGTON TRUST, NA, SUCCESSOR  
TRUSTEE TO CITIBANK, N.A., AS

CASE NO. 2:16-cv-02090-RFB-NJK

**STIPULATION AND ORDER TO 1)  
DISMISS CLAIMS BETWEEN  
JPMORGAN CHASE BANK, N.A.,  
PALM CREEK COMMUNITY  
ASSOCIATION, AND SFR  
INVESTMENTS POOL 1, LLC  
WITH PREJUDICE; AND 2) LIFT  
STAY ENTERED MAY 22, 2017**

1 TRUSTEE, FOR THE BENEFIT OF  
2 REGISTERED HOLDERS OF  
3 STRUCTURED ASSET MORTGAGE  
4 INVESTMENTS II TRUST 2007-AR3,  
5 MORTGAGE PASS-THROUGH  
6 CERTIFICATES, SERIES 2007-AR3; and  
7 CURTIS PRICE, and individual.,

8 Counter/Cross Defendants.

9 Pursuant to Local Rules LR IA 6-1 and LR 26-4, Plaintiff/Counter-defendant,  
10 Wilmington Trust, N.A., Successor Trustee to Citibank, N.A., as Trustee for the  
11 Benefit of Registered Holders of Structured Asset Mortgage Investment II Trust  
12 2007-AR3, Mortgage Pass-Through Certificates, Series 2007-AR3 (“Wilmington  
13 Trust”), Defendant/Counter-claimant/Cross-claimant SFR Investments Pool 1, LLC  
14 (“SFR”), and Defendant Palm Creek Community Association (the “Association”)  
15 (collectively, the “Parties”) hereby stipulate as follows:

16 1. This action concerns title to real property commonly known as 5691  
17 Sentry Palm Court., Las Vegas, Nevada (“Property”) following a homeowner’s  
18 association foreclosure sale conducted on November 2, 2012, with respect to the  
19 Property.

20 2. As it relates to the Parties, a dispute arose regarding that certain Deed  
21 of Trust recorded against the Property in the Official Records of Clark County,  
22 Nevada as Instrument Number 20061219-0004040 (“Deed of Trust”), and in  
23 particular, whether the Deed of Trust continues to encumber the Property.

24 3. The Parties to this Stipulation have settled and agreed to release their  
25 respective claims, and further agreed that the claims between them, including the  
26 Complaint and Counterclaim, shall be DISMISSED with prejudice;

27 4. This Stipulation in no way affects SFR’s cross-claim against Curtis  
28 Price;

5. The Parties further stipulate and agree that the \$500 in security costs  
posted by the Trustee on November 9, 2016 pursuant to this Court’s Order [ECF  
No. 18] shall be discharged and released to the Ballard Spahr LLP Trust Account;

1           6.       The Parties further stipulate and agree that the Lis Pendens recorded  
2 against the Property in the Official Records of Clark County, Nevada, as  
3 Instrument Number 201612070001423 be, and the same hereby is, EXPUNGED;

4           7.       The Parties further stipulate and agree that a copy of this Stipulation  
5 and Order may be recorded with the Clark County Recorder;

6           8.       The Parties further agree to lift the stay entered May 22, 2017 [ECF  
7 No. 48];

8           9.       This case shall remain open until such time as SFR resolves its  
9 pending cross-claim against Curtis Price; and

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10. Each party in this case number 2:16-cv-02090-RFB-NJK shall bear its own attorneys' fees and costs.

Dated: December 10, 2018

BALLARD SPAHR LLP

KIM GILBERT EBRON.

By: /s/ Justin A. Shiroff  
Abran E. Vigil, Esq.  
Nevada Bar No. 7548  
Justin A. Shiroff, Esq.  
Nevada Bar No. 12869  
1980 Festival Plaza Drive, Suite 900  
Las Vegas, Nevada 89135-2958

By: /s/ Jacqueline A. Gilbert  
Diana S. Ebron, Esq.  
Nevada Bar No. 10580  
Jacqueline A. Gilbert, Esq.  
Nevada Bar No. 10593  
Karen L. Hanks, Esq.  
Nevada Bar No. 9578  
7625 Dean Martin Dr., Suite 110  
Las Vegas, Nevada 89139

*Attorneys for Plaintiff*

*Attorney for Defendant SFR  
Investments Pool 1, LLC*

LEACH JOHNSON SONG & GRUCHOW

By: /s/ T. Chase Pittsenbarger  
Sean L. Anderson, Esq.  
Nevada Bar No. 7259  
T. Chase Pittsenbarger, Esq.  
Nevada Bar No. 13740  
8945 W. Russell Road, Suite 330  
Las Vegas, Nevada 89148

*Attorneys for Palm Creek Community  
Association*

IT IS SO ORDERED.

  
\_\_\_\_\_  
RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

DATED this 11th day of December, 2018.